

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minutes

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Date: December 1, 2016

Judge: Hon. James Donato

Court Reporter: Rhonda Aquilina

Time: 42 Minutes

Case No. **CR-14-00582-JD**

Case Name **USA v. Alvin Florida, Robert Alhashash Rasheed, John Lee Berry, Refugio Diaz**

Attorney(s) for Government: Manish Kumar/Albert Sambat/Micah Rubbo

Attorney(s) for Defendant(s): Shaffy Moeel/Steven Gruel/John Forsyth/  
Edwin Prather/Max Mizono

Deputy Clerk: Lisa Clark

PROCEEDINGS

Status re: retrial

NOTES AND ORDERS

The Court discusses the upcoming retrial with the parties. Jury trial is set for 9:00 a.m. on Monday, December 5, 2016.

For the reasons stated on the record, jury instructions six, seven, and eight from the prior jury instructions -- the conspiracy instructions -- will not be given.

The government's motion for leave to introduce a new witness at retrial is denied. The designation is untimely and would prejudice defendants.

The Court orders the following submissions:

- The parties will jointly submit a list of proposed voir dire questions by 9:00 a.m. on Friday, December 2, 2016.
- The government will file a supplemental exhibit list identifying the new documents it may introduce by 9:00 a.m. on Friday, December 2, 2016. Objections to the proposed exhibits will be heard at 8:30 a.m. on Monday, December 5, 2016.
- On the morning of December 5, 2016, the parties will provide the Court with **two** complete sets of trial exhibits and transcripts. The proposed new exhibits should be

grouped in a separate binder that is clearly labeled, and the previous trial transcripts should be tabbed by day.